

REMARKS

Summary of Office Action

Claims 1-38 are pending in this application.

The Examiner rejected claims 1-38 under 35 U.S.C. § 102(e) as being anticipated by Hendricks U.S. Patent Application Publication No. 2005/0157217 (hereinafter “Hendricks”).

Rejections of Claims 1-38 Under 35 U.S.C. § 102(e)

Claims 1-38 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hendricks.

These rejections are respectfully traversed.

Independent claims 1, 10, 16, 19, and 36 each define a method of operating a video-on-demand service that is accessible to non-subscribers of that service. In particular, the service will transmit or display a segment or preview of a video program requested by a non-subscriber, but will not transmit/display a full-length video program requested by the non-subscriber.

Similarly, independent claims 7, 14, and 21 each define a video-on-demand service in which previews can be requested by and transmitted to non-subscribers of the service, while full-length video programs requested by only subscribers of the service will be transmitted.

Hendricks is from the outset directed to only subscribers of its program delivery system.

Note the title of Hendricks: “Remote Control Menu Driven Subscriber Access To Television Programming” (emphasis added).

Hendricks' 32 double-columned pages of specification are plainly directed to only subscribers of its program delivery system:

“The present invention is a program delivery system which provides subscribers with a user friendly interface to operate and exploit a six-fold or more increase in current program delivery capability.” (Page 1, paragraph 13, lines 7-11; emphasis added.)

“Subscribers will be able to access the expanded program package and view selected programs ....” (Page 1, paragraph 14, lines 1-2; emphasis added.)

“The delivery system employs ... a set-top terminal in each subscriber's home.” (Page 2, paragraph 18, lines 1-3; emphasis added.)

“[T]he subscriber may select desired programming through the system's menu-driven scheme ....” (Page 2, paragraph 28, lines 1-3; emphasis added.)

“A subscriber can easily navigate through the menu system ....” (Page 18, paragraph 269, lines 14-15; emphasis added.)

Hendricks does not disclose or suggest in any way what access, if any, a non-subscriber has to its program delivery system.

Hendricks does not even describe how a non-subscriber can become a subscriber. Therefore, Hendricks does not in any way disclose or suggest a system or method in which a non-subscriber can request and receive on demand a preview or segment of a video program, while being prevented from viewing a full-length video program.

If the Examiner contends otherwise, the Examiner is invited to show specifically where (by paragraph and line numbers) Hendricks discloses or suggests that a non-subscriber can order and view previews of full-length programs that can only be viewed by subscribers.

In sum, Hendricks does not in any way anticipate applicants' invention as defined in independent claims 1, 7, 10, 14, 16, 19, 21, and 36.

For at least this reason, dependent claims 2-6, 8, 9, 11-13, 15, 17, 18, 20, 22-35, 37, and 38, which depend directly or indirectly from the independent claims, are also not anticipated by Hendricks (i.e., dependent claims are patentable if their independent claim is patentable).

Accordingly, applicants respectfully request that the rejections of claims 1-38 under 35 U.S.C. § 102(e) be withdrawn.

### Conclusion

The foregoing demonstrates that claims 1-38 are allowable. This application is therefore in condition for allowance. Reconsideration and allowance are accordingly respectfully requested.

Respectfully submitted,



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